

AMERICAN ARBITRATION ASSOCIATION
CONSTRUCTION INDUSTRY ARBITRATION RULES

<p>LEEWARD CONSTRUCTION COMPANY, Ltd.</p> <p>Claimant,</p> <p>v.</p> <p>AMERICAN UNIVERSITY OF ANTIGUA COLLEGE OF MEDICINE C/O GCLR, INC.</p> <p>Respondent.</p>	<p>Case No. 50 110 T 00118 13</p> <p>EXHIBITS</p> <p><u>IN SUPPORT OF RESPONDENT</u> <u>AMERICAN UNIVERSITY OF</u> <u>ANTIGUA COLLEGE OF MEDICINE'S</u> <u>OPPOSITION TO THE CLAIMANT'S</u> <u>MOTION FOR DISMISSAL OF AUA'S</u> <u>ABST RELATED CLAIMS ON</u> <u>VARIOUS GROUNDS</u> <u>AND</u> <u>CROSS-MOTION FOR AN ORDER</u> <u>STRIKING CLAIMANT'S STATED</u> <u>DEFENSES AND AWARDED</u> <u>SUMMARY JUDGMENT TO</u> <u>RESPONDENT ON ITS ABST</u> <u>RELATED CLAIMS</u></p>
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Respectfully submitted:

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Evidence submitted in opposition to the Leeward's motion to dismiss and in support of AUA's cross-motion to strike the Leeward's defenses and for summary judgment.

Schedule 1 – AUA ABST Taxes as of 10/31/2009

Exhibit A – Agreement and Charter for American University of Antigua College of Medicine

Exhibit B – March 7, 2006 Application for Consumption Tax Concessions

Exhibit C - January 23, 2004 Resolution granting exemption from Duty, Consumption Tax and Customs Service Tax

Exhibit D – Government Published Flyer about the 2006 Antigua and Barbuda Sales Tax Act

Exhibit E – AUA Property Lease with Antigua and Barbuda

Exhibit F –Free Trade and Processing Zone Act, 1994

Exhibit G – Letter from AUA President Simon to Prime Minister Spenser requesting publication of AUA exemption from ABST

Exhibit H – May 2, 2007 letter from AUA President Simon to Prime Minister Spencer requesting intervention regarding ABST

Exhibit I – May 24, 2007 letter from AUA President Simon to the Prime Minister

Exhibit J – June 1, 2007 email from Matt Peterson, AUA's CFO including letter to Ambassador Shoul from AUA President and attachments

Exhibit K – June 28, 2007 Letter from AUA President Simon to the Minister of Finance and Economy including attachments

Exhibit L – August 31, 2007 letter from DJ McLaren, Director of ABST Implementation, Government of Antigua & Barbuda

Exhibit M – September 30, 2007 email from Corey Greenberg to AUA President Neal Simon

Exhibit N – October 1, 2007 email from Basil Stuart

Exhibit O – January 23, 2008 email from Matt Petersen

Exhibit P – January 23, 2008 email from Basil Stuart

Exhibit Q – October 21, 2009 email from Matt Petersen

Exhibit R – November 17, 2009 email from Cleo T. Wallace, ABST Registration Supervisor

Exhibit S – November 17, 2009 emails regarding refund form between Cleo Wallace, ABST Registration Supervisor, Antigua and Lyle S. Novick, Manager of Financial Reporting, AUA

Exhibit T – September 27, 2010 letter from AUA President, Neal Simon to Attorney General of Antigua and Barbuda, Justin L. Simon, Esq.

Exhibit U – November 8, 2010 letter from Attorney General Justin L. Simon to AUA President Neal Simon

Exhibit V – November 17, 2009 email from Basil Stuart regarding issues of collecting tax

Exhibit W – November 23, 2009 email from Matt Peterson, CFO of AUA regarding tax refunds.

Exhibit X – Leeward's Amended Demand for Arbitration in the prior arbitration dated October 14, 2011

Exhibit Y - AUA's Answer and Counterclaim in the prior arbitration dated November 30, 2011

Exhibit Z - AUA's Proposed Findings of Fact and Conclusions of Law in the prior arbitration dated April 20, 2012

Exhibit AA - Claimant's Reply Proposed Findings of Fact and Conclusions of Law" in the prior proceeding

Exhibit BB – Final Award dated June 22, 2012